

**§143.0110 When Environmentally Sensitive Lands Regulations Apply**

This division applies to all proposed *development* when *environmentally sensitive lands* are present on the *premises*:

(a)-(b) No change.

**Table 143-01A**

**Applicability of Environmentally Sensitive Lands Regulations**

**No Change**

- (c) A Neighborhood Development Permit or Site Development Permit is not required for the following:
- (1) Outside the Coastal Overlay Zone, *development* on a *premises* containing *environmentally sensitive lands* when the *development* will not encroach into the *environmentally sensitive lands* during or after construction, if the property owner signs an acknowledgement that further *development* on the property is not permitted unless the *development* is reviewed and approved pursuant to this division and if the *development* proposal provides for the following:
    - (A) A 100-foot setback from *sensitive biological resources*;
    - (B) A ~~40~~ 10-foot setback from the top or bottom of slope of *steep hillsides*;
    - (C) A 100-foot setback from *floodplains*.
  - (2)-(7) No change.
  - (8) *Development* that is less than 3 feet in height within the 10-foot setback from the top or bottom of *steep hillsides* that does not encroach into the *steep hillsides*.